



Sen. John J. Cullerton

Filed: 3/28/2006

09400SB1145sam001

LRB094 04840 RLC 57765 a

1 AMENDMENT TO SENATE BILL 1145

2 AMENDMENT NO. _____. Amend Senate Bill 1145 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Probation and Probation Officers Act is
5 amended by changing Section 16.1 as follows:

6 (730 ILCS 110/16.1)

7 Sec. 16.1. Redeploy Illinois Program.

8 (a) The purpose of this Section is to encourage the
9 deinstitutionalization of juvenile offenders establishing
10 pilot projects in counties or groups of counties that
11 reallocate State funds from juvenile correctional confinement
12 to local jurisdictions, which will establish a continuum of
13 local, community-based sanctions and treatment alternatives
14 for juvenile offenders who would be incarcerated if those local
15 services and sanctions did not exist. The allotment of funds
16 will be based on a formula that rewards local jurisdictions for
17 the establishment or expansion of local alternatives to
18 incarceration, and requires them to pay for utilization of
19 incarceration as a sanction. This redeployment of funds shall
20 be made in a manner consistent with the Juvenile Court Act of
21 1987 and the following purposes and policies:

22 (1) The juvenile justice system should protect the
23 community, impose accountability to victims and
24 communities for violations of law, and equip juvenile

1 offenders with competencies to live responsibly and
2 productively.

3 (2) Juveniles should be treated in the least
4 restrictive manner possible while maintaining the safety
5 of the community.

6 (3) A continuum of services and sanctions from least
7 restrictive to most restrictive should be available in
8 every community.

9 (4) There should be local responsibility and authority
10 for planning, organizing, and coordinating service
11 resources in the community. People in the community can
12 best choose a range of services which reflect community
13 values and meet the needs of their own youth.

14 (5) Juveniles who pose a threat to the community or
15 themselves need special care, including secure settings.
16 Such services as detention, long-term incarceration, or
17 residential treatment are too costly to provide in each
18 community and should be coordinated and provided on a
19 regional or Statewide basis.

20 (6) The roles of State and local government in creating
21 and maintaining services to youth in the juvenile justice
22 system should be clearly defined. The role of the State is
23 to fund services, set standards of care, train service
24 providers, and monitor the integration and coordination of
25 services. The role of local government should be to oversee
26 the provision of services.

27 (b) Each county or circuit participating in the pilot
28 program must create a local plan demonstrating how it will
29 reduce the county or circuit's utilization of secure
30 confinement of juvenile offenders in the Illinois Department of
31 Juvenile Justice or county detention centers by the creation or
32 expansion of individualized services or programs that may
33 include but are not limited to the following:

34 (1) Assessment and evaluation services to provide the

1 juvenile justice system with accurate individualized case
2 information on each juvenile offender including mental
3 health, substance abuse, educational, and family
4 information;

5 (2) Direct services to individual juvenile offenders
6 including educational, vocational, mental health,
7 substance abuse, supervision, and service coordination;
8 and

9 (3) Programs that seek to restore the offender to the
10 community, such as victim offender panels, teen courts,
11 competency building, enhanced accountability measures,
12 restitution, and community service. The local plan must be
13 directed in such a manner as to emphasize an individualized
14 approach to providing services to juvenile offenders in an
15 integrated community based system including probation as
16 the broker of services. The plan must also detail the
17 reduction in utilization of secure confinement. The local
18 plan shall be limited to services and shall not include
19 costs for:

20 (i) capital expenditures;

21 (ii) renovations or remodeling;

22 (iii) personnel costs for probation.

23 The local plan shall be submitted to the Department of
24 Human Services.

25 (c) A county or group of counties may develop an agreement
26 with the Department of Human Services to reduce their number of
27 commitments of juvenile offenders, excluding minors sentenced
28 based upon a finding of guilt of first degree murder or an
29 offense which is a Class X forcible felony as defined in the
30 Criminal Code of 1961, to the Department of Juvenile Justice,
31 and then use the savings to develop local programming for youth
32 who would otherwise have been committed to the Department of
33 Juvenile Justice. A ~~The~~ county or group of counties with a
34 population less than 1,000,000 shall agree to limit their

1 commitments to 75% of the level of commitments from the average
2 number of juvenile commitments for the past 3 years, and will
3 receive the savings to redeploy for local programming for
4 juveniles who would otherwise be held in confinement. Because
5 of successful strategies already employed, any county with a
6 decrease of juvenile commitments of at least 25% of its most
7 immediate 3-year average chosen to participate in Redeploy
8 Illinois shall negotiate with the Redeploy Illinois Oversight
9 Board the targeted percentage of future juvenile offender
10 commitment reductions outlined in its local plan. A county may
11 identify a part of the county or specific juvenile offenders as
12 the targeted population for its local plan. The agreement shall
13 set forth the following:

14 (1) a Statement of the number and type of juvenile
15 offenders from the county who were held in secure
16 confinement by the Illinois Department of Juvenile Justice
17 or in county detention the previous year, and an
18 explanation of which, and how many, of these offenders
19 might be served through the proposed Redeploy Illinois
20 Program for which the funds shall be used;

21 (2) a Statement of the service needs of currently
22 confined juveniles;

23 (3) a Statement of the type of services and programs to
24 provide for the individual needs of the juvenile offenders,
25 and the research or evidence base that qualifies those
26 services and programs as proven or promising practices;

27 (4) a budget indicating the costs of each service or
28 program to be funded under the plan;

29 (5) a summary of contracts and service agreements
30 indicating the treatment goals and number of juvenile
31 offenders to be served by each service provider; and

32 (6) a Statement indicating that the Redeploy Illinois
33 Program will not duplicate existing services and programs.
34 Funds for this plan shall not supplant existing county

1 funded programs.

2 (d) (Blank).

3 (e) The Department of Human Services shall be responsible
4 for the following:

5 (1) Reviewing each Redeploy Illinois Program plan for
6 compliance with standards established for such plans. A
7 plan may be approved as submitted, approved with
8 modifications, or rejected. No plan shall be considered for
9 approval if the circuit or county is not in full compliance
10 with all regulations, standards and guidelines pertaining
11 to the delivery of basic probation services as established
12 by the Supreme Court.

13 (2) Monitoring on a continual basis and evaluating
14 annually both the program and its fiscal activities in all
15 counties receiving an allocation under the Redeploy
16 Illinois Program. Any program or service that has not met
17 the goals and objectives of its contract or service
18 agreement shall be subject to denial for funding in
19 subsequent years. The Department of Human Services shall
20 evaluate the effectiveness of the Redeploy Illinois
21 Program in each circuit or county. In determining the
22 future funding for the Redeploy Illinois Program under this
23 Act, the evaluation shall include, as a primary indicator
24 of success, a decreased number of confinement days for the
25 county's juvenile offenders.

26 (f) Any Redeploy Illinois Program allocations not applied
27 for and approved by the Department of Human Services shall be
28 available for redistribution to approved plans for the
29 remainder of that fiscal year. Any county that invests local
30 moneys in the Redeploy Illinois Program shall be given first
31 consideration for any redistribution of allocations.
32 Jurisdictions participating in Redeploy Illinois that exceed
33 their agreed upon level of commitments to the Department of
34 Juvenile Justice shall reimburse the Department of Corrections

1 for each commitment above the agreed upon level.

2 (g) Implementation of Redeploy Illinois.

3 (1) Planning Phase.

4 (i) Redeploy Illinois Oversight Board. The
5 Department of Human Services shall convene an
6 oversight board to develop plans for a pilot Redeploy
7 Illinois Program. The Board shall include, but not be
8 limited to, designees from the Department of Juvenile
9 Justice, the Administrative Office of Illinois Courts,
10 the Illinois Juvenile Justice Commission, the Illinois
11 Criminal Justice Information Authority, the Department
12 of Children and Family Services, the State Board of
13 Education, the Cook County State's Attorney, and a
14 State's Attorney selected by the President of the
15 Illinois State's Attorney's Association.

16 (ii) Responsibilities of the Redeploy Illinois
17 Oversight Board. The Oversight Board shall:

18 (A) Identify jurisdictions to be invited in
19 the initial pilot program of Redeploy Illinois.

20 (B) Develop a formula for reimbursement of
21 local jurisdictions for local and community-based
22 services utilized in lieu of commitment to the
23 Department of Juvenile Justice, as well as for any
24 charges for local jurisdictions for commitments
25 above the agreed upon limit in the approved plan.

26 (C) Identify resources sufficient to support
27 the administration and evaluation of Redeploy
28 Illinois.

29 (D) Develop a process and identify resources
30 to support on-going monitoring and evaluation of
31 Redeploy Illinois.

32 (E) Develop a process and identify resources
33 to support training on Redeploy Illinois.

34 (F) Report to the Governor and the General

1 Assembly on an annual basis on the progress of
2 Redeploy Illinois.

3 (iii) Length of Planning Phase. The planning phase
4 may last up to, but may in no event last longer than,
5 July 1, 2004.

6 (2) Pilot Phase. In the second phase of the Redeploy
7 Illinois program, the Department of Human Services shall
8 implement several pilot programs of Redeploy Illinois in
9 counties or groups of counties as identified by the
10 Oversight Board. Annual review of the Redeploy Illinois
11 program by the Oversight Board shall include
12 recommendations for future sites for Redeploy Illinois.

13 (Source: P.A. 93-641, eff. 12-31-03; 94-696, eff. 6-1-06.)".